

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Previously Presented) A method of operating a device having at least one solid-state memory and at least one spinning media memory for storing data, the method comprising:

from time-to-time, determining whether the device is in motion; and  
in response to determining that the device is not in motion, transferring data between the spinning media memory and the solid-state memory.

2. (Previously Presented) The method of claim 1 wherein transferring data between the spinning media memory and the solid-state memory occurs only when the device is determined not to be in motion.

3. (Previously Presented) The method of claim 1 wherein transferring data between the spinning media memory and the solid-state memory includes writing data from the spinning media memory to the solid-state memory.

4. (Previously Presented) The method of claim 1 wherein transferring data between the spinning media memory and the solid-state memory includes writing data from the solid-state memory to the spinning media memory.

5. (Currently Amended) The method of claim 1 wherein transferring data between the spinning media memory and the solid-state memory includes:  
removing ~~less frequently accessed~~ data from the solid-state memory; and  
copying ~~more frequently accessed~~ data from the spinning media memory to the solid-state memory.

6. (Currently Amended) The method of claim 1 wherein transferring data between the spinning media memory and the solid-state memory includes:

removing ~~less frequently accessed~~ data from the solid-state memory; and  
copying ~~more frequently accessed~~ data from the spinning media memory to the solid-state memory, if the ~~more frequently accessed~~ data is not already in the solid-state memory.

7. (Original) The method of claim 1, further comprising:  
tracking frequency access information for the data.

8. (Original) The method of claim 1, further comprising:  
sensing at least one of a velocity and an acceleration of the device, and wherein determining whether the device is in motion is based at least in part on one of the sensed velocity and acceleration.

9. (Original) The method of claim 1, further comprising:  
receiving a request for data;  
determining whether the requested data is in the solid-state memory; and  
in response to determining that the requested data is in the solid-state memory, providing the requested data from the solid-state memory.

10. (Previously Presented) The method of claim 1, further comprising:  
receiving a request for data;  
determining whether the requested data is in the solid-state memory;  
in response to determining that the requested data is not in the solid-state memory, determining whether the device is in motion; and  
in response to determining that the requested data is not in solid-state memory and that the device is not in motion, providing the requested data from the spinning media memory.

11. (Previously Presented) The method of claim 1, further comprising:  
receiving a request for data;  
determining whether the requested data is in the solid-state memory;

in response to determining that the requested data is not in the solid-state memory,  
determining whether the device is in motion;

in response to determining that the requested data is not in solid-state memory and  
that the device is not in motion, providing the requested data from the spinning media memory;  
and

updating frequency access information.

12. (Previously Presented) The method of claim 1, further comprising:  
receiving a request for data;

determining whether the requested data is in the solid-state memory;

in response to determining that the requested data is not in the solid-state memory,  
determining whether the device is in motion; and

in response to determining that the requested data is not in solid-state memory and  
that the device is in motion, producing a user notification that the requested data is not available  
while the device is in motion.

13. (Previously Presented) The method of claim 1, further comprising:  
receiving a request for data;

determining whether the requested data is in the solid-state memory;

in response to determining that the requested data is not in the solid-state memory,  
determining whether the device is in motion; and

in response to determining that the requested data is not in solid-state memory and  
that the device is in motion, producing a user notification that the requested data should not be  
accessed while the device is in motion.

14. (Previously Presented) The method of claim 1, further comprising:  
receiving a request for data;

determining whether the requested data is in the solid-state memory;

in response to determining that the requested data is not in the solid-state memory,  
determining whether the device is in motion;

in response to determining that the requested data is not in solid-state memory and that the device is in motion, producing a user notification that the device should be stopped before retrieving the requested data;

receiving a user override input; and

in response to the received user override input, retrieving the requested data from the spinning media memory.

15. (Previously Presented) The method of claim 1, further comprising:

receiving a request for data;

determining whether the requested data is in the solid-state memory;

in response to determining that the requested data is not in the solid-state memory,

determining whether the device is in motion;

in response to determining that the requested data is not in solid-state memory and that the device is in motion, producing a user notification that the device should be stopped before retrieving the requested data;

receiving a user override input;

in response to the received user override input, copying the requested data from the spinning media memory to the solid-state memory; and

providing the requested data from the solid-state memory.

16. (Original) The method of claim 1, further comprising:

receiving data to store;

storing the data to the solid-state memory;

determining whether the device is in motion;

waiting until the device is determined not to be in motion; and

storing the data to the spinning media memory when the device is determined not to be in motion.

17. (Original) The method of claim 1, further comprising:

receiving data to store;

determining whether the solid-state memory is full;

in response to determining that the solid-state memory is full, determining whether the device is in motion; and

in response to determining that the device is not in motion, storing the data to the spinning media memory.

18. (Previously Presented) The method of claim 1, further comprising:  
receiving data to store;  
determining whether the solid-state memory is full;  
in response to determining that the solid-state memory is full, determining whether the device is in motion; and  
in response to determining that the device is in motion, providing a user message that the device must be stopped to store the data.

19. (Previously Presented) The method of claim 1, further comprising:  
receiving data to store;  
determining whether the solid-state memory is full;  
in response to determining that the solid-state memory is full, determining whether the device is in motion;  
in response to determining that the device is in motion, providing a user message that the device should be stopped to store the data;  
receiving a user override input; and  
in response to receiving the user override input, storing the data to the spinning media memory.

20. (Original) The method of claim 1, further comprising:  
disabling the spinning media memory while the device is determined to be in motion.

21-22. (Canceled)

23. (Currently Amended) ~~The~~An apparatus for use with a device of claim 21,  
further the apparatus comprising:

at least one solid-state memory;

at least one spinning media memory;

a controller configured to transfer data between the spinning media memory and  
the solid-state memory when the device is not in motion, and to not transfer data between the  
spinning media memory and the solid-state memory when the device is in motion; and

a motion sensor coupled to provide at least one of velocity and acceleration  
information to the controller from which the controller can determine whether the device is in  
motion.

24. (Canceled)

25. (Currently Amended) ~~The~~An apparatus for use with a device, of claim 21  
the apparatus comprising:

at least one solid-state memory;

at least one spinning media memory; and

a controller configured to transfer data between the spinning media memory and  
the solid-state memory when the device is not in motion, and to not transfer data between the  
spinning media memory and the solid-state memory when the device is in motion; wherein the  
device is a vehicle and the apparatus is incorporated into a general-purpose computing system  
carried by the vehicle.

26. (Canceled)

27. (Currently Amended) ~~The~~An apparatus for use with a device, of claim 21  
the apparatus comprising:

at least one solid-state memory;

at least one spinning media memory; and

a controller configured to transfer data between the spinning media memory and  
the solid-state memory when the device is not in motion, and to not transfer data between the

spinning media memory and the solid-state memory when the device is in motion; wherein the device is a user carried automatic data collection unit and the apparatus is incorporated into the user carried automatic data collection unit.

28. (Currently Amended) ~~The~~ An apparatus for use with a device, of claim 21  
the apparatus comprising:

at least one solid-state memory;

at least one spinning media memory; and

a controller configured to transfer data between the spinning media memory and the solid-state memory when the device is not in motion, and to not transfer data between the spinning media memory and the solid-state memory when the device is in motion; wherein the device is a user carried general purpose computing system and the apparatus is incorporated into the user carried general purpose computing system.

29-38. (Canceled)